



NOTICE OF THE EXECUTIVE AND REGULAR SESSIONS OF THE FOUNTAIN HILLS TOWN COUNCIL

Mayor Jay T. Schlum

Councilmember Mike Archambault

Councilmember Dennis Brown

Councilmember Dennis Contino

Councilmember Ginny Dickey

Vice Mayor Cassie Hansen

Councilmember Henry Leger

TIME: 5:30 P.M. EXECUTIVE SESSION

(Executive Session will be held in the Fountain Conference Room - 2nd floor)

6:30 P.M. - REGULAR SESSION

WHEN: THURSDAY, NOVEMBER 5, 2009

WHERE: FOUNTAIN HILLS COUNCIL CHAMBERS

16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

Councilmembers of the Town of Fountain Hills will attend either in person or by telephone conference call.

PROCEDURE FOR ADDRESSING THE COUNCIL

Anyone wishing to speak before the Council must fill out a speaker's card and submit it to the Town Clerk prior to Council discussion of that Agenda item. Speaker Cards are located in the Council Chamber Lobby and near the Clerk's position on the dais.

Speakers will be called in the order in which the speaker cards were received either by the Clerk or the Mayor. At that time, speakers should stand and approach the podium. Speakers are asked to state their name prior to commenting and to direct their comments to the Presiding Officer and not to individual Councilmembers. Speakers' statements should not be repetitive. *If a speaker chooses not to speak when called, the speaker will be deemed to have waived his or her opportunity to speak on the matter. Speakers may not (i) reserve a portion of their time for a later time or (ii) transfer any portion of their time to another speaker.*

If there is a Public Hearing, please submit the speaker card to speak to that issue during the Public Hearing.

Individual speakers will be allowed **three** contiguous minutes to address the Council. Time limits may be waived by *(i) discretion of the Town Manager upon request by the speaker not less than 24 hours prior to a Meeting, (ii) consensus of the Council at Meeting or (iii) the Mayor either prior to or during a Meeting.* Please be respectful when making your comments. If you do not comply with these rules, you will be asked to leave.

EXECUTIVE SESSION AGENDA

- **CALL TO ORDER**
- 1. **ROLL CALL AND VOTE TO GO INTO EXECUTIVE SESSION:** Pursuant to ARIZ. REV. STAT. § 38-431.03(A)(4) Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation (*Specifically, a developer's claim for a sales tax refund*).
- 2. **ADJOURN** to Regular Session.

REGULAR SESSION AGENDA

- **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Schlum
- **INVOCATION** – Pastor Steve Bergeson, Shepherd of the Hills Lutheran Church
- **ROLL CALL** – Mayor Schlum
- **MAYOR'S REPORT**
 - (i) Update relating to the Mayor's attendance at the Urban Land Institute (ULI) Conference.
 - (ii) A review of upcoming community events.
- **SCHEDULED PUBLIC APPEARANCES/PRESENTATIONS**
 - (i) Presentation of the Town's "20 Years as a Town" celebration plans.
 - (ii) Presentation of Quarterly Budget Report for the period July 1, 2009 through September 30, 2009 for all funds by Deputy Town Manager Julie Ghetti.

CALL TO THE PUBLIC

Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Council and (ii) is subject to reasonable time, place, and manner restrictions. The Council will not discuss or take legal action on matters raised during "Call to the Public" unless the matters are properly noticed for discussion and legal action. At the conclusion of the call to the public, individual Councilmembers may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future Council agenda.

CONSENT AGENDA

1. **CONSIDERATION** of approving the TOWN COUNCIL MEETING MINUTES from October 8, 13 & 15, 2009.
2. **CONSIDERATION** of approving the SPECIAL EVENT APPLICATION for the THANKSGIVING DAY PARADE sponsored by the Fountain Hills Chamber of Commerce

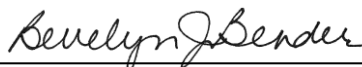
to be held November 26, 2009, from 9:00 a.m. – 11:00 a.m., which will require street closures: parts of Saguaro Boulevard, Palisades Boulevard, La Montana Drive, El Lago Boulevard, and Panorama Drive.

3. **CONSIDERATION** of approving the SPECIAL EVENT APPLICATION for the STROLL IN THE GLOW EVENT sponsored by the Fountain Hills Chamber of Commerce to be held December 5, 2009, from 6:00 p.m. – 8:00 p.m., which will require street closures: parts of Saguaro Boulevard and Avenue of the Fountains.

REGULAR AGENDA

4. **CONSIDERATION** of payment in the amount of \$6,500 from the 1% Public Art Fund to the Zuva Gallery for the purchase of a STONE SCULPTURE title “An All Day Job”.
5. **DISCUSSION WITH POSSIBLE DIRECTION** to staff on commercial A-frame and banner sign REGULATIONS.
6. **CONSIDERATION** of ORDINANCE 09-14, amending the Fountain Hills Town Code, Chapter 2, Mayor and Council, Article 2-1, Council, relating to vacancies in Council.
7. **COUNCIL DISCUSSION/DIRECTION** to the Town Manager.
Items listed below are related only to the propriety of (i) placing such items on a future agenda for action or (ii) directing staff to conduct further research and report back to the Council:
A. None.
8. **SUMMARY** of COUNCIL REQUESTS and REPORT ON RECENT ACTIVITIES by the Town Manager.
9. **ADJOURNMENT.**

DATED this 29th day of October, 2009



Bevelyn J. Bender, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 (voice) or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting or to obtain agenda information in large print format. *Supporting documentation and staff reports furnished the Council with this agenda are available for review in the Clerk's office.*